



# San Diego County Sheriff's Department Officer Report

CAD Event No.

Case No. **14121850****1**Report No. **29572**

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## GENERAL CASE INFORMATION

Special Studies:	Related Cases:	
Location, City, State, ZIP: <b>George Bailey Detention Facility House 2b, San Diego, CA 92158</b>		Occurred On: <b>4/30/2014 10:25:00 AM (Wednesday)</b>
Jurisdiction: <b>DETENTION FACILITY - GEORGE F. BAILEY DF</b>	Beat: <b>029</b>	Call Source: (and Between):

## INDIVIDUAL/S

## REPORT NARRATIVE

### ORIGIN:

On 4/30/13 I was assigned to the House 2A Rover position at the George Bailey Detention Facility (GBDF). At approximately 1025 hours, I was involved in a Use of Force with inmate Lozier, Harry BN 13786233.

### DEPUTY'S OBSERVATIONS AND ACTIONS:

I was conducting lunch count in House 2B Quad 204 when Deputy Kouma 7408 requested me to go down to Quad 104, via the radio. I entered Quad 104 and saw Deputy Kouma struggling to gain control of inmate Lozier on the ground. The other inmates in the quad were standing around Deputy Kouma so I instructed them all to return to their bunks and they complied. Lozier was lying face down on the ground and he refused to give control of his hands to Deputy Kouma. I instructed Lozier to move his hands out from underneath his chest and place them behind his back. Lozier refused and told me, "No, I won't do it."

Due to Lozier's unwillingness to comply with my commands, I gave one knee strike to his right side of the body and applied bodyweight pressure with my left knee to his right lower back to keep him from turning over and striking myself or other deputies. I used both of my hands to pull Lozier's right arm towards his lower back. I gained control of Lozier's right arm and gave him instructions to put his left arm behind his back and he complied. Deputy Yniguez 6929 secured handcuffs on Lozier's wrists.

I held Lozier's left bicep and assisted him to his feet. I escorted Lozier to the GBDF Medical area. At approximately 1030 hours, Lozier was examined by Nurse [REDACTED] for injuries and he was cleared to return to housing. I escorted Lozier to processing cell 101 pending an open cell for lockdown. Deputy Yniguez removed the handcuffs from Lozier's wrists and exited the cell. I secured the door and I had no further contact with inmate Lozier.

Reporting Officer <b>SH4458 - HOODENPYLE, JOSHUA</b>	Division / Organization <b>GBDF / GBDF - George Bailey Detention Facility</b>	Reviewed By <b>SH3632 - FROISTAD, ERIC</b>
Report Date <b>4/30/2014 3:32:18 PM</b>	Detective Assigned	Reviewed Date <b>5/1/2014 2:21:21 PM</b>



# San Diego County Sheriff's Department

## Officer Report

CAD Event No.

Case No. **14121850****1**Report No. **29569**

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### GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: <b>446 Alta Road Suite #5300, San Diego, CA 92158</b>		Occurred On: <b>4/30/2014 10:25:00 AM (Wednesday)</b>	
Jurisdiction: <b>DETENTION FACILITY - GEORGE F. BAILEY DF</b>		Beat: <b>029</b>	Call Source: (and Between):

### INDIVIDUAL/S

Name: <b>Lozier, Harry Edward</b>		Person Code:		Interpreter Language:				
ALIAS / AKA / NICKNAME / MONIKER: <b> </b>								
Home Address, City, State, ZIP: <b> </b>		Res. Country: <b>US - UNITED STATES</b>	County Residence: <b>N Nonresident</b>	Undocumented: <b>No</b>				
Race: <b>W</b>	Sex: <b>M</b>	Date of Birth / Age: <b> </b> - 67	Height: <b>5' 9"</b>	Weight: <b>225 lbs</b>	Hair Color: <b>BRO</b>	Eye Color: <b>BRO</b>	Facial Hair: <b>03 - Full Beard and Mustache</b>	Complexion: <b>LGT - Light</b>
Employment Status: <b>E - Employed</b>		Occupation/Grade: <b>Landscaping</b>		Employer/School: <b>Self-employed</b>		Employer Address, City, State, ZIP: <b> </b>		

### CONTACT INFORMATION

Type: <b>HP - Home Phone</b>	Number/Address: <b> </b>		
IDENTIFICATION:			
Type: <b>JIM - JIMS Number</b>	Number: <b> </b>	State: <b> </b>	Country: <b> </b>
Type: <b>FBI - FBI No.</b>	Number: <b> </b>	State: <b> </b>	Country: <b> </b>
Type: <b>SSN - SSN</b>	Number: <b> </b>	State: <b> </b>	Country: <b> </b>
Type: <b>BN - Booking Number</b>	Number: <b> </b>	State: <b> </b>	Country: <b> </b>
Attire: <b>Jail Issued Blue Clothes</b>	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description: <b> </b>			
Officer Injury Description: <b> </b>			

### REPORT NARRATIVE

#### ORIGIN:

On 04-30-2014, at approximately 1025 hours, I was assigned to the House 2B Rover Deputy position at the George Bailey Detention Facility (GBDF). I was counting the lunch meals for House 2B when Deputy Kouma #7408, who was conducting lunch count in Quad #104, requested assistance. I arrived at Quad #104 and saw Deputy Kouma struggling on the ground to gain control of Inmate Harry Lozier (BN 13786233).

#### Deputy's Observation and Actions:

As I entered Quad #104, I saw Deputy Kouma struggling on the ground with an inmate, later identified as Harry Lozier. Deputy Hoodenpyle #4458 and I arrived to assist Deputy Kouma at the same moment. As I saw both Deputy Kouma and Deputy Hoodenpyle attempting to gain control over Lozier, I positioned myself directly in front of Lozier's upper torso as his body was facing the ground. I tried to get hold of Lozier's right arm as both his hands were beneath him and he was attempting to push off of the ground. Lozier was uncooperative with the commands being given and was actively resisting my attempts to gain hold of his right arm. I delivered three punches with my left hand to Lozier's lower right abdomen as I instructed him to relax his right arm. I did this in order to gain Lozier's compliance. I stood up several times during the incident since there were other inmates in the quad and I wanted to check our surroundings. I saw Deputy Hoodenpyle get control of Lozier's right arm and I immediately placed my handcuffs on him in order to secure both his hands. Deputy Kouma and I assisted Lozier to his feet and escorted him to GBDF Medical.

Reporting Officer <b>YNIGUEZ, EDUARDO</b>	Division / Organization <b>FAC8 / FAC8 - Facility 8</b>	Reviewed By <b>SH3632 - FROISTAD, ERIC</b>
Report Date <b>4/30/2014 1:11:38 PM</b>	Detective Assigned	Reviewed Date <b>5/1/2014 2:31:37 PM</b>



# San Diego County Sheriff's Department

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Report No. **29569**

At approximately 1030 hours, Lozier was evaluated and treated by GBDF Medical staff. Once Lozier was treated, Deputies Kouma, Hoodenpyle and I escorted Lozier to Processing Holding Cell #101 until suitable housing is found. I removed the handcuffs from Lozier's wrists and exited with no incident.

I had no further contact with Lozier.

Reporting Officer <b>YNIGUEZ, EDUARDO</b>	Division / Organization <b>FAC8 / FAC8 - Facility 8</b>	Reviewed By <b>SH3632 - FROISTAD, ERIC</b>
Report Date <b>4/30/2014 1:11:38 PM</b>	Detective Assigned	Reviewed Date <b>5/1/2014 2:31:37 PM</b>



# San Diego County Sheriff's Department

## Use of Force Supplemental

UFO DATE AND TIME 4/30/2014 10:25	EVENT NUMBER	CASE NUMBER 14121850	DOCUMENT NUMBER 29567	STATION/FACILITY GBDF - George Bailey Detention Facility
INCIDENT DESCRIPTION / OFFENSES Lunch Count				
SUBJECT'S NAME (LAST, FIRST, MI) Lozier, Harry	DATE OF BIRTH [REDACTED]	ARRESTED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	SUPERVISOR PRESENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DATE/TIME SUPERVISOR NOTIFIED 04/30/2014 10:27
REASON(S) FOR USING FORCE:	<input type="checkbox"/> Necessary to effect an arrest <input type="checkbox"/> Necessary to prevent a violent forcible felony <input type="checkbox"/> Delaying Jail Operations			
SUBJECT APPEARED TO BE <input type="checkbox"/> Under the influence of alcohol and/or drugs	<input type="checkbox"/> Mentally impaired	NUMBER OF OFFICERS ON SCENE 5		NUMBER OF OFFICERS USING FORCE 3
LEVEL(S) OF RESISTANCE ENCOUNTERED				
<input type="checkbox"/> NONE (subject cooperated/complied) <input type="checkbox"/> PSYCHOLOGICAL INTIMIDATION (non-verbal cues indicating subject's attitude or physical readiness to resist) <input checked="" type="checkbox"/> VERBAL NON-COMPLIANCE (subject's expressed unwillingness to comply with the officer's commands)		<input checked="" type="checkbox"/> PASSIVE RESISTANCE (represents by a refusal to respond to verbal commands but also offers no form of physical resistance) <input checked="" type="checkbox"/> ACTIVE RESISTANCE (pushing, pulling or running away from the officer to avoid control; not attempting to harm the officer) <input type="checkbox"/> ASSAULTIVE BEHAVIOR (physical actions of assault) <input type="checkbox"/> AGGRAVATED ACTIVE AGGRESSION (potential injury or death)		
LAW ENFORCEMENT TOOL/TECHNIQUE USED TO GAIN COMPLIANCE OR OVERCOME RESISTANCE (CHECK ALL THAT APPLY)				
<input checked="" type="checkbox"/> Verbal Commands: "Stop resisting," "Put your hands behind your back."		<input type="checkbox"/> Less-Lethal Weapon System		
<input checked="" type="checkbox"/> Empty Hand Control		<input type="checkbox"/> Discharges		
<input checked="" type="checkbox"/> Grab, Push, Pull, or Body Weight <input checked="" type="checkbox"/> Control Hold (Duration: 60 seconds) <input type="checkbox"/> Pressure Point (Duration: ) (# of Contacts: ) <input checked="" type="checkbox"/> Strike (Body part used: Shoulder, lower right abdomen) (# of Contacts: ) <input checked="" type="checkbox"/> Takedown Type: Head control <input type="checkbox"/> Carotid (Rendered Unconscious? <input type="checkbox"/> Yes <input type="checkbox"/> No) (Duration: )		<input type="checkbox"/> Number of		
<input type="checkbox"/> Tool/Device/Weapon		<input type="checkbox"/> Target		
<input type="checkbox"/> OC Agent (Duration: ) (# of Contacts: ) <input type="checkbox"/> Decontaminated <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Cord Cuff Restraint Device (Duration: ) <input type="checkbox"/> Impact Weapon (# of Contacts: )		<input type="checkbox"/> PepperBall - OC Powder <input type="checkbox"/> PepperBall - Water <input type="checkbox"/> 37 mm Rifle - Standard <input type="checkbox"/> 37 mm Rifle - Low Energy <input type="checkbox"/> 40 mm Rifle - Bean Bag <input type="checkbox"/> 40 mm Rifle - Sponge <input type="checkbox"/> Taser - Probes <input type="checkbox"/> Taser - Drive Stuns <input type="checkbox"/> Stingball Grenade <input type="checkbox"/> Sound/Light device <input type="checkbox"/> 12-Gauge Super Sock <input type="checkbox"/> Ultron/NOVA Shield <input type="checkbox"/> REACT Belt		
<input type="checkbox"/> Type: _____ <input type="checkbox"/> Canine (Duration: ) (# of Contacts: ) <input type="checkbox"/> Vehicle/Forcible Stop <input type="checkbox"/> Weapon Pointed at Subject (Duration: )		<input type="checkbox"/> Firearm		
<input type="checkbox"/> Type: _____ <input type="checkbox"/> Spit Sock (Duration: ) <input type="checkbox"/> Pro-Straint Chair <input type="checkbox"/> Tactical Shield <input type="checkbox"/> WRAP		<input type="checkbox"/> Type: _____		
<input type="checkbox"/> Other: _____				
WAS INITIAL USE OF FORCE EFFECTIVE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		WAS ADDITIONAL CONTROL OR FORCE NEEDED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
SUBJECT INJURED	EXTENT OF TREATMENT	OFFICER(S) INJURED	EXTENT OF TREATMENT	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> None <input type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input checked="" type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> None <input type="checkbox"/> Treated at hospital <input type="checkbox"/> Treated at scene <input type="checkbox"/> Hospitalized <input type="checkbox"/> Refused treatment	
SUBJECT INJURY DESCRIPTION		OFFICER INJURY DESCRIPTION		
OTHER FORCE USED/COMMENTS/EQUIPMENT PERFORMANCE:				
SERGEANT		ARJIS	DATE	 MARK FIGURE TO INDICATE CONTACT POINT(S)
LIEUTENANT		ARJIS	DATE	
CAPTAIN		ARJIS	DATE	



# San Diego County Sheriff's Department

## Use of Force Supplemental

### Use of Force Supplemental Instructions

**Lines 1 & 3:** Fill in the blanks.

**Line 2:** If the suspect was committing a crime and force was used to stop or apprehend the subject, document the appropriate penal code. If the UOF occurred in the performance of the officer's duties, document the incident description, i.e. officer transport, officer escort, making arrest, detaining suspect, cell extraction etc.

**Primary Reason for Using Force:** Check appropriate box(s).

**Subject Appeared To Be:** Check if applicable.

**Number of Officers on Scene:** List number of officers present.

**Number of Officers Using Force:** List number of officers that used force.

**Level(s) of Resistance Encountered:** Check appropriate box(s).

**L.E. Tool/Technique Used:** Check appropriate box(s). If known and/or applicable, include duration (approximate length of time) tool/technique was used. If known and/or applicable, include the number of contacts (approximate number of strikes, impacts, etc.) when requested on form.

**Was Initial Use of Force Effective?** If initial force used was effective, check "Yes." If initial force used was ineffective and additional force was necessary, check "No."

**Was Additional Control or Force Needed:** If initial force used was ineffective and additional force was necessary, check "Yes." If initial force used was effective, check "No."

**Target Distance:** If applicable (refers primarily to less lethal weapon systems), approximate distance or provide range (i.e. 7-15 feet, 15-20 yards, etc.) from subject during application of force.

**Subject Injured:** Check "Yes" if medically treated for injury sustained as a possible result of force applied by a officer(s) – does not include previous injuries suffered prior to officer contact. Check "No" if subject was not injured or simply complains of injury/pain suffered as a result of force applied by an officer(s) and refuses medical attention. Any complaints of pain shall be documented in the use of force report narrative (whenever any physical force used by a officer results in a complaint of injury or an injury that necessitates medical treatment of a subject, a supervisor will be notified immediately).

**Extent of Treatment:** Check appropriate box. Check none if subject was evaluated and no treatment was required. Specifically, check "Treated at Scene" if subject was treated at scene by EMS for injuries that may have resulted due to force applied by officer(s). Check "Treated at Hospital" if subject was transported to hospital for treatment of injuries that may have been sustained as an apparent result of force applied by officer(s). Check "Hospitalized" if subject was admitted to the Hospital as a result of injuries that were sustained as a result of force applied by officer(s).

**Officer Injured:** Check appropriate box (see above).

**Extent of Treatment:** Check appropriate box. Check none if officer was evaluated and no treatment was required. Specifically, check "Treated at Scene" if officer was treated at scene by EMS for injuries. Check "Treated at Hospital" if officer was transported to hospital for treatment of injuries. Check "Hospitalized" if officer was admitted to the Hospital as a result of injuries.

**Other Force Used/Comments/Equipment Performance:** This section can be used to document other force options not listed on the form; relevant comments about the incident such as complaints of pain/injury (room permitting) and negative/positive comments regarding equipment performance.

**Mark Figure to Indicate Contact Points:** When applicable, mark the areas on the figure where applied force contacted the subject's body.

**Sergeant:** Sign, list ARJIS number and date reviewed.

**Lieutenant:** Sign, list ARJIS number and date reviewed.

**Captain:** Sign, list ARJIS number and date reviewed.



# San Diego County Sheriff's Department

## Officer Report

CAD Event No.

Case No. **14121850****1**Report No. **29567**

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### GENERAL CASE INFORMATION

Special Studies:	Related Cases:	
Location, City, State, ZIP: <b>446 Alta Rd Ste #5300, San Diego, CA 92158</b>	Occurred On: <b>4/30/2014 10:25:00 AM (Wednesday)</b>	
Jurisdiction: <b>DETENTION FACILITY - GEORGE F. BAILEY DF</b>	Beat: <b>029</b>	Call Source:
(and Between):		

### INDIVIDUAL/S

Name: <b>Lozier, Harry</b>	Person Code:	Interpreter Language:
ALIAS / AKA / NICKNAME / MONIKER:		
Home Address, City, State, ZIP: [REDACTED]	Res. Country: <b>US - UNITED STATES</b>	County Residence: <b>N Nonresident</b>
Race: <b>W</b> Sex: <b>M</b> Date of Birth / Age: <b>67</b> Height: <b>5' 9"</b>	Weight: <b>225 lbs</b>	Hair Color: <b>BRO</b> Eye Color: <b>BRO</b>
Employment Status:	Occupation/Grade:	Employer/School:
Employer Address, City, State, ZIP:		

### CONTACT INFORMATION

Type: <b>HP - Home Phone</b>	Number/Address: [REDACTED]		
IDENTIFICATION:			
Type: <b>BN - Booking Number</b>	Number: [REDACTED]	State:	Country:
Type: <b>JIM - JIMS Number</b>	Number: [REDACTED]	State:	Country:
Type: <b>DLN - Drivers License Number</b>	Number: [REDACTED]	State: <b>CA - California</b>	Country:
Type: <b>SSN - SSN</b>	Number: [REDACTED]	State:	Country:
Attire: <b>Jail issued blues</b>	Injury: <b>Yes</b>	Extent Of Treatment: <b>4 - Hospitalized</b>	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

### REPORT NARRATIVE

#### ORIGIN:

On 04/30/2014, I was assigned as the House 2C Deputy at the George Bailey Detention Facility (GBDF). At approximately 1025 hours, I was involved in a use of force with Inmate Lozier, Harry (BN13786233).

#### DEPUTY'S OBSERVATIONS AND ACTIONS:

I was conducting hard count in House 2B Quad 104. When I arrived at inmate Lozier's rack, I asked him for his name and to show me his wristband. Lozier said, "You know who the fuck I am." I informed Lozier that I did not know who he was and I needed to see his wristband. Lozier remained lying on his back in the middle bunk and refused to show me his wristband. I used my left hand and attempted to twist Lozier's wristband around so I could verify his identity. Lozier tensed up his arm and began to pull his wrist away from me.

In order to gain control of Lozier and prevent him from possibly hitting me, I grabbed Lozier's left wrist with my left hand. I told inmate Lozier to get off his rack; he refused and continued to try and pull his arm away. Lozier used his right hand to grab the top rack in order to prevent me from removing him from his rack. I used my right arm to place Lozier in a headlock. This allowed me to pull Lozier from his rack and take him to the ground.

Lozier landed on his back and continued to pull away and try to twist out of my grips. I told inmate Lozier to roll over onto his stomach and put his hands behind his back. Lozier did not comply with my instructions. I released my headlock on Lozier and used both my hands on Lozier's left hand in an attempt to roll him over onto his stomach, so I could secure him in handcuffs. Lozier stuck his right arm out to his side and resisted being rolled over onto his stomach. I delivered one hammer fist strike to Lozier's left shoulder and told him to "Stop resisting." Lozier still would not follow my instructions. While maintaining control of

Reporting Officer <b>SH7408 - KOUMA, JORDAN</b>	Division / Organization <b>GBDF / GBDF - George Bailey Detention Facility</b>	Reviewed By <b>SH3632 - FROISTAD, ERIC</b>
Report Date <b>4/30/2014 12:03:48 PM</b>	Detective Assigned	Reviewed Date <b>5/1/2014 4:33:52 PM</b>



# San Diego County Sheriff's Department Officer Report

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**2**

Report No. **29567**

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Lozier's left arm, I managed to roll Lozier onto his stomach. I called over my handheld radio on the House 2 frequency, for Deputy Hoodenpyle to come assist with securing Lozier.

Deputies Yniguez #6929, Hoodenpyle #4458 and Sergeant Froistad #3632 arrived at the scene. Lozier continued to resist and was still trying to escape my control. Lozier was lying down on his stomach; however Lozier kept his right arm underneath his body and would not put it behind his back. Lozier began to use his right hand in an attempt to push himself up. I twisted Lozier's left hand behind his back and Deputy Yniguez took control of it. I used both of my hands and body weight to apply downward pressure in an attempt to control Lozier. Deputy Hoodenpyle was able to gain control of Lozier's right hand and placed it behind his back. Deputy Yniguez secured both of Lozier's hands in handcuffs. Deputies Yniguez and Hoodenpyle assisted Lozier to his feet and escorted him out of the module.

Deputies Yniguez and Hoodenpyle escorted Lozier to the GBDF medical dispensary where he was evaluated by Nurse [REDACTED] and the on duty doctor. Lozier was treated for a scrape on his right elbow and swelling to his face. Lozier received a bandage for his right elbow and was cleared to return to mainline housing. I took three digital photographs of Lozier's injuries.

Deputies Yniguez, Hoodenpyle and I escorted Lozier to Processing holding cell #101.

At approximately 1650 hours, Lozier was complaining of back pain and was escorted back to the GBDF medical dispensary by Deputy Hoodenpyle. Lozier was transported to the UCSD medical hospital via ambulance for further evaluation. After being evaluated at UCSD it was determined Lozier had a broken lower vertebrae and a punctured lung.

## INJURIES:

Lozier sustained swelling to his face, a scrape to his right elbow, a broken lower vertebrae and a punctured lung.

## FORCE USED:

Deputy Kouma #7408: Arm control with both hands on Lozier's left arm, headlock, and one hammer fist to Lozier's left shoulder.

Deputy Yniguez #6929: Three punches to lower right abdomen.

Deputy Hoodenpyle #4458: One knee to the right abdomen and bodyweight pressure.

## WITNESSES:

Sgt. Froistad #3632

Deputy Nuqui #6762

## RELATED REPORTS:

Deputy's report by Yniguez #6929

Deputy's report by Hoodenpyle #4458

Reporting Officer <b>SH7408 - KOUMA, JORDAN</b>	Division / Organization <b>GBDF / GBDF - George Bailey Detention Facility</b>	Reviewed By <b>SH3632 - FROISTAD, ERIC</b>
Report Date <b>4/30/2014 12:03:48 PM</b>	Detective Assigned	Reviewed Date <b>5/1/2014 4:33:52 PM</b>





EDTA  
d.  
c.